

REMARKS

Claims 1-3, 5-23, and 25-43 are pending in the application. Claims 1 is amended herein to recite a mask pattern formed of a black resin. Claim 4 is canceled to avoid redundancy with amended claim 1. Claim 20 is amended to overcome a rejection under 37 CFR 1.75(c) and to include the limitations of claim 4 (now canceled). Claim 30 is amended to overcome an indefiniteness rejection by removing "the" before "excess opaque material."

Claim Objections

The Examiner objected to claim 24 under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim (claim 20). Claim 20 is amended to overcome this rejection. Claim 20 is also amended to include the limitations of claim 4, which the Examiner found to be allowable. Applicants therefore respectfully request that the Examiner withdraw this objection to claim 24.

Claim Rejections Under 35 U.S.C. § 112

The Examiner asserted that claims 30 and 31 are unpatentable under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner stated that there is insufficient antecedent basis for the limitation "the excess opaque material" in claim 30. Claim 31 was rejected because it depends from claim 30.

Applicants have overcome this rejection by amending claim 30. In view of this amendment, Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 112 to claims 30 and 31.

Claim Rejections Under 35 U.S.C. § 102

The Examiner asserted that claims 1-3, 12 and 13 are anticipated by Watanabe et al (U.S. 5,721,076; "Watanabe") under 35 U.S.C. § 102. Applicants respectfully disagree in view of the amendment herein to claim 1.

As amended, claim 1 requires a mask pattern formed of a black resin. This limitation was originally recited in claim 4, which depends from claim 1. The Examiner objected to claim 4 in the Office action for its dependence on a rejected base claim, but stated that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants therefore submit that amended independent claim 1 and dependent claims 2-3 and 12-13 are allowable. Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. §102 to these claims.

Claim Rejections Under 35 U.S.C. § 103

The Examiner asserted that claims 1-3, 12-19 are unpatentable over Watanabe et al (U.S. 5,721,076; "Watanabe") in view of JP 9-318804 (JP '804) under 35 U.S.C. § 103. Applicants respectfully disagree in view of the amendment herein to claim 1. Per the preceding remarks, Applicants submit that amended claim 1 and dependent claims 2-3 and 12-19 are allowable. Applicants therefore respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 103 to these claims.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's allowance of claims 20-23, 25-29, and 32-43.


The Examiner stated that claims 30 and 31 would be allowable if amended or rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph. In view of the amendment herein to claim 30, Applicants submit that claims 30 and 31 are now in condition for allowance.

The Examiner objected to claims 4-11 due to their dependence upon a rejected base claim, but stated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the amendment herein to claim 1 to include the limitations of claim 4 (which is therefore canceled), Applicants submit that independent claim 1 and dependent claims 5-11 are now in condition for allowance.

Summary

In view of the claim amendments and remarks above, Applicants respectfully submit that all of the pending claims are in condition for allowance. If for any reason, however, the Examiner believes that the amendments and remarks do not put the claims in condition for allowance, he is invited to contact the undersigned attorney to resolve any remaining issues.

Respectfully submitted,



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